

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DAVID MARSH, a/k/a
JASON K. MITHRANDIR,

Plaintiff,

v.

Case No. 2:05-cv-134
HON. ROBERT HOLMES BELL

JENNIFER GRANHOLM, et al.,

Defendants.

OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on August 21, 2007. The Report and Recommendation was duly served on the parties. The Court has received objections from plaintiff. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court now finds the objections to be without merit.

Plaintiff has failed to show that the restrictions imposed present a substantial burden on the exercise of his religious beliefs. Moreover, defendants have established a compelling interest in prohibiting possession of items plaintiff claims are necessary for his religious beliefs. Plaintiff is being accommodated by defendants and is allowed to practice his religion with some restrictions that are necessary for security and the operation of a prison. Plaintiff has failed to show a violation of his constitutional rights.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Docket #111) is approved and adopted as the opinion of the Court.

Dated: September 7, 2007

/s/ Robert Holmes Bell

ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE